IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 28TH FEBRUARY 2007 / 9TH PHALGUNA 1928

Bail Appl..No. 966 of 2007()

CRIME NO.480/06 OF BALARAMAPURAM POLICE STATION

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: PETITIONER/A1 & A2:

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1. SUDHEESH, AGED 26,
   PUTHRAVILA VEEDU, THALAYIL, BALARAMAPURAM P.O.

2. LALITHA, D/O. KAMALAMMA,
   AGED 45, PUTHRAVILA VEEDU, THALAYIL,
   BALARAMAPURAM.

BY ADV. SRI.R.T.PRADEEP

RESPONDENTS:

THE STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
THIRUVANANTHAPURAM.

BY PUBLIC PROSECUTOR SRI.K.S.SIVAKUMAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 28/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 966 OF 2007 A

Dated this the 28th day of February, 2007

O R D E R

The petitioners, who are the husband and mother-in-law of the de facto complainant and accused Nos.1 and 2 in Crime No.480/2006 of Balaramapuram Police Station for offences punishable under Secs.498A and 324 read with section 34 I.P.C., seek anticipatory bail. The marriage between the de facto complainant and the first accused was in March, 2001. They separated six months ago allegedly on account of the cruelty meted by the first accused to the de facto complainant. There are two children born in the wedlock and the children are with the de facto complainant. On 6.10.2006 at about 7 p.m. husband's brother(3rd accused) and mother(2nd accused) are alleged to have trespassed into the house of the de facto complainant and assaulted her.

2. I heard the learned counsel for the petitioners and the learned Public Prosecutor.

3. Having regard to the nature of the allegations levelled against the petitioners and the other circumstances of the case, I am inclined to grant anticipatory bail to the petitioners. Accordingly, a direction is issued to the officer-in-charge of the police station concerned to release the petitioners on bail for a period of one month in the event of their arrest in connection with the above case on each of them

executing a bond for Rs. 10,000/- (Rupees ten thousand only) with two solvent sureties each for the like amount to the satisfaction to the said officer and subject to the following conditions:

a. 1st Petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

b. Petitioners shall make themselves available for interrogation as and when required by the Investigating Officer.

c. Petitioners shall not influence or intimidate the prosecution witnesses nor shall they attempt to tamper with the evidence for the prosecution.

d. Petitioners shall not commit any offence while on bail.

e. Petitioners shall surrender before the Magistrate concerned and seek regular bail in the meanwhile.

If the petitioners commit breach of any of the above conditions, the bail granted to them shall be liable to be cancelled.

This application is allowed as above.

(V. RAMKUMAR, JUDGE)

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